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SUBJECT: SIERRA LEONE: WORST FORMS OF CHILD LABOR UPDATE

REF: SECSTATE 149662

¶1. This cable responds to reftel request for information for the Worst Forms of Child Labor Report. Most new information since the previous year's report is a result of the passage of the 2007 Child Rights Act.

A) Laws and regulations

¶2. In July 2007 Sierra Leone enacted a very comprehensive "Child Rights Act" which not only guarantees and defines children's rights, but also prescribes that these rights be respected and implemented at every level and branch of government, society, and family. As the law is still fairly new, its impact remains to be seen.

¶3. Though a member of the International Labour Organization (ILO), Sierra Leone has ratified neither Convention 182 nor Convention 138. As a non-ratifying member, Sierra Leone submits annual follow-up reports. There does not appear to be any definition of worst forms of child labor as per Convention 182, but some of the items are covered by the 2005 Anti-Human Trafficking Act. The Child Rights Act does define "light work" consistently with Convention 138.

¶4. The Child Rights Act mandates that the minimum age for light work in Sierra Leone is now 13. The minimum age for full-time employment is 15, which the Child Rights Act mandated to now be the new ending age for compulsory education. The minimum age for all forms of hazardous work is now 18. It is illegal to subject a child to exploitative labor (any work other than light work).

¶5. The Anti-Human Trafficking Act of 2005 prohibits all forms of trafficking, including forced labor and exploitative prostitution. The penalty for trafficking is generally a fine up to 50 million Leones (\$16,666) and/or imprisonment up to ten years. International trafficking for the purposes of prostitution is usually penalized by up to five years' imprisonment. However, if the offense involves the transport of children for such acts, a sentence of up to 10 years' imprisonment can be imposed. Other than the latter penalty, there is no statutory distinction between adult and child exploitative prostitution.

¶6. The country's minimum age for military recruitment is
¶18.

B) Implementation & Enforcement Against Child Labor

¶7. Law enforcement addresses some complaints and violations regarding child labor. Government entities have a range of criminal penalties, fines and court orders they may impose in such cases. However, whether they are adequate or how often they are used is unclear. Although the government has worked to raise awareness and understanding of the laws pertaining to child labor, insufficient funds have precluded training activities.

C) Social Programs Against Child Labor

¶8. In accordance with the 2005 the Anti-Human Trafficking Act, the Anti-Trafficking Task Force is tasked with formulating measures that impede recruiting potential trafficking victims of trafficking. These programs are aimed at keeping children in school and educating those at risk of becoming victims of trafficking.

D) Comprehensive Policy to Eliminate Child Labor

¶9. The 2007 Child Rights Act requires the formation of a National Commission for Children to oversee many facets of children's rights, including enforcing some child labor prohibitions. This commission has not yet been established. The Act also calls for child welfare committees to be established at the district, chiefdom, and village levels. While these committees would mostly be

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tasked to monitor and provide guidance, they will have the authority to deliver "instructions." If their "instructions" are ignored, the committees will be able to levy fines of not less than 50,000 leones (\$16.75). The committees will not have any other sanctioning or punitive powers. Legally, education is compulsory until age 15, but this is not enforced. Although the government pays tuition fees, students are expected to pay a variety of other charges such as school materials, uniforms, and extra classes. These charges can add up and deter attendance by those who cannot afford them.

E) Continual Progress

¶10. There is some evidence that, because the Child Rights Act has empowered local authorities, including Paramount Chiefs, many communities have developed local procedures that have been effective in reducing worst forms of child labor, particularly in the mining industry, including sand mining. Nonetheless, enforcement of the rule of law and implementation of the Child Rights Act across all sectors will be an ongoing challenge in resource-strapped Sierra Leone.